

FEDERAL COMMUNICATIONS COMMISSION
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Radio Free Nashville, Inc.
725 Wildview Drive
Nashville, TN 37211-1142

Re: WRFN-LP, Pasquo, TN
Facility I.D. No.: 135643
Radio Free Nashville, Inc.
BPL-20090108AEE

Dear Applicant:

This refers to: (1) the above-captioned minor change application to modify operation to 296L1 and (2) the June 22, 2009 Orders to Show Cause to stations WRVW(FM), Facility I.D. 59824, Lebanon, TN and WNFN(FM), Facility I.D. 29862, Millersville, TN.

On January 8, 2009, Radio Free Nashville, Inc. filed a minor change application proposing to operate on Channel 296 and create a second-adjacent channel short-spacing to WRVW and WNFN pursuant to the second adjacent channel waiver procedures adopted by the Commission in its Third Report and Order in *Creation of a Low Power Radio Service*.¹ WRFN-LP is being encroached by WANT(FM), Lebanon, TN, Facility I.D. 4103, in construction permit BPH-20070907ACN. By staff letter dated June 22, 2009, stations WRVW and WNFN were directed to show cause why the modification of WRFN-LP to operate on Channel 296 and allow a second-adjacent channel short-spacing is not in the public interest.

WRVW and WNFN were required to file written statements showing with particularity why the proposed facility of WRFN-LP should not be modified as proposed in the *Orders to Show Cause*. Since WRVW and WNFN have not responded within the 30 day period from the date of the *Orders to Show Cause*, the respective licensees are deemed to have consented to the modification of WRFN-LP.

The staff has tentatively concluded that the WRFN-LP application meets the requirements of the Second-Adjacent Channel Waiver Standard and is otherwise acceptable for filing. An engineering analysis has determined that there are no alternate, fully spaced, and rule compliant channels available to mitigate encroachment by WANT. In evaluating whether the public interest would be served by grant of a waiver of Section 73.807, the Commission must balance the potential for new interference to the full service station against the potential loss of an LPFM

¹ *Creation of a Low Power Radio Service*, Third Report and Order and Second Further Notice of Proposed Rulemaking, 22 FCC Rcd 21912, 21939-40 (2007).

station. Based on desired-to-undesired ("D/U") signal strength ratio calculations, interference is predicted to extend 102 meters from WRFN-LP's site. This predicted interference area is not located near densely populated areas.

In accordance with the procedures adopted by the Commission in *Creation of a Low Power Radio Service*, this letter constitutes approval to operate under special temporary authority ("STA") with the following facilities:

Geographic coordinates:	36° 02' 30" N, 86° 59' 31" W (NAD 1927)
Channel	296 (107.1 MHz)
Effective radiated power:	0.007 kilowatt (H&V)
Antenna height:	
above ground:	21 meters
above mean sea level:	303 meters
Above average terrain:	107meters

Application BPL-20090108AEE will be retained in pending status and the request for STA IS HEREBY GRANTED. STAs issued pursuant to these procedures will be subject to any action taken by the Commission in the *Second Further Notice*. The Commission will withhold final determination of the waiver request until action on the *Second Further Notice* proposals.

WRFN-LP must notify the Commission when STA operation has commenced. WRFN-LP must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

This authority expires on **March 14, 2010**.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Cumulus Licensing LLC
Capstar TX Limited Partnership
Mark Lipp
Marrissa Repp